

From : Kevin Whitter
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The Honorable JUDGE BRIAN C. WIMES;
Charles Evans Whittaker U.S. Courthouse
400 E. 9th Street;
Kansas City, MO 64106

Subject: Second Formal Complaint Regarding T-Mobile Data Breach and Request for Compensation

Dear JUDGE BRIAN C. WIMES UNITED STATES DISTRICT COURT;

My name is Kevin Whitter, and I am writing for the second time to formally alert you of my desire to settle the violation of breach of my personal information not limited to expressing my distress and concerns regarding the T-Mobile data breach that has severely impacted my life and peace of mind.

This is my second inquiry regarding the breach settlement associated with my compromised personal information. My phone number was issued by Assurance Wireless (305-742-6965) through a government-subsidized phone and data program, and as a result of the breach, my personal data was exposed and misused.

Since this breach, I have been subjected to multiple instances of identity theft, which have directly endangered my financial stability and personal security. I have experienced multiple unauthorized attempts to use my identity, including being enrolled in insurance and medical plans without my consent. Furthermore, I have been receiving persistent and unwanted solicitation calls, creating a substantial disruption to my daily life. I had to freeze my credit files and monitor my identity with Norton, an unwanted expense brought on by this data breach.

The exposure of my private information has caused me severe mental distress, anxiety, and emotional suffering. The invasion of my privacy and the

constant concern about potential financial and identity-related fraud have significantly impacted my overall well-being. The distress resulting from these issues is ongoing and continues to cause me considerable hardship.

Given the damages I have incurred due to T-Mobile's data breach, I am formally requesting compensation for these hardships, including but not limited to financial losses, emotional distress, and ongoing security concerns. I expect a timely and fair resolution to this matter.

Please acknowledge receipt of this letter and provide me with an update on my claim. I can be reached at 786-509-1687 for further discussion. Your prompt response and resolution of this issue would be greatly appreciated.

Sincerely,
Kevin Whitter

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

IN RE: T-MOBILE CUSTOMER DATA)
SECURITY BREACH LITIGATION,) MDL No. 3019
)
) Master Case No. 4:21-MD-03019-BCW
ALL ACTIONS)

ORDER

On September 13, 2024, the Court held a telephone conference in this case after the Court of Appeals for the Eighth Circuit issued its mandate on August 23, 2024. On the Notice of Appeal filed by Objector Cassie Hampe, the Eighth Circuit reversed and remanded to this Court the “Order and Judgment Granting Final Approval of Class Action Settlement and Awarding Attorneys’ Fees, Costs, Expenses, and Service Awards” to the extent the Order and Judgment granted Class Counsel’s request for a fee award totaling \$78.75 million. (Doc. #235 at 27-47).

On September 10, 2024, Plaintiffs filed an Amended Motion for Attorneys’ Fees. (Doc. #253). During the telephone conference, counsel for Plaintiffs and objector Hampe represented they had met and conferred, and requested referral to a Magistrate Judge to see whether they could resolve Hampe’s objections to the Plaintiffs’ amended motion for attorneys’ fees, and issues presented by Objector Hampe’s anticipated motion for attorneys’ fees.

Consistent with the telephone conference discussion, the Court referred the matter to Chief Magistrate Judge Epps for purposes of mediation on Hampe’s objections to Plaintiffs’ amended motion for fees and Plaintiffs’ objections to Hampe’s anticipated motion for fees. The Court otherwise establishes the following briefing schedule, and sets this matter for hearing on Plaintiffs’ Amended Motion for Attorneys’ Fees as follows. Accordingly, it is hereby

ORDERED Objector Hampe shall file any motion for attorneys' fees not later than **September 23, 2024**. Plaintiffs' opposition suggestions to the motion shall be filed by **October 4, 2024**. Any reply shall be filed by **October 11, 2024**. It is further

ORDERED opposition suggestions to Plaintiffs' Amended Motion for Attorneys' Fees (Doc. #253) shall be filed by **October 4, 2024**. Any reply shall be filed by **October 11, 2024**. It is further

ORDERED this case is set for motion hearing at the United States Courthouse in Kansas City, Missouri on **October 16, 2024 at 11:00 a.m.**

IT IS SO ORDERED.

DATED: September 19, 2024

/s/ Brian C. Wimes
JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT